

MAR. 7. 2007 2:45PM

FOLEY 8587926773

RECEIVED  
CENTRAL FAX CENTER

NO. 6876 P. 11/14

MAR 07 2007

Atty. Dkt. No. 048772-0701

#### REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 46 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-19, 42 and 46 remain pending in this application.

Claims 1, 4-19, 42 and 46 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over igive.com in view of U.S. Patent No. 5,663,547 to Ziarno (hereinafter "Ziarno"). Applicant respectfully traverses this rejection for at least the following reasons.

Embodiments of the present invention relate to systems and methods for soliciting charitable donations from online shoppers involved in electronic commerce. Embodiments of the invention encourage and motivate a shopper to make a donation. For example, in one embodiment, during an e-commerce transaction, the online shopper is provided with a suggestion on the amount of donation. The amount suggested may be, for example, dependent on the amount of the purchase made by the online shopper in the e-commerce transaction. Accordingly, Applicant has amended independent claims 1 and 46 to recite "providing one or more suggestions on the amount of a donation ... based on the order from the online shopper."

The Examiner now acknowledges that igive.com does not disclose providing any suggestions on the amount of donation. Instead, the Examiner relies on Ziarno as disclosing "electronically providing suggestions of varying donation amount." Office Action dated September 7, 2007, Page 3, lines 16-17.

Atty. Dkt. No. 048772-0701

Ziarno discloses a terminal or a peripheral with a card reader through which a credit card may be read. The terminal detects the type of card and displays a recommended contribution or gift amount. Ziarno does not relate to the e-commerce environment and, therefore, does not teach or suggest receiving any order from an online shopper. As a result, the system disclosed in Ziarno is incapable of suggesting a donation amount based on an order.

Since none of the cited references teach or suggest at least "providing one or more suggestions on the amount of a donation ... based on the order from the online shopper," claims 1 and 46 are patentable. Claims 4-19 and 42 depend, either directly or indirectly, from allowable claim 1 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over igive.com in view of Ziarno and further in view of an article by David King. Claims 2 and 3 depend from allowable claim 1 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37

Atty. Dkt. No. 048772-0701

C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date March 7, 2007

By Sanjeev K. Dhand

FOLEY & LARDNER LLP  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6860  
Facsimile: (858) 792-6773

Sanjeev K. Dhand  
Attorney for Applicant  
Registration No. 51,182